



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

December 13, 2006

IN REPLY REFER TO

HDA-CA

Document # 49838

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Branch, Room 3500
For Rachel Falsetti, Transportation Programming

Dear Mr. Kempton:

SUBJECT: FY 2007 FTIP Amendment No. 2 – Kings County Association of Governments (KCAG)

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed the review of Amendment No. 2 to the KCAG 2007 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated December 1, 2006. KCAG adopted Amendment No. 2 with Resolution No. 06-18 on October 25, 2006. With that action, the KCAG Board of Directors approved the program modifications and reaffirmed the consistency of the KCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

The KCAG 2007 FTIP Amendment No. 2 adds \$500,000 to State Sec. 130 Railroad Grade Crossing Protections Program lump sum in 2006/07 and \$500,000 in 2007/08; and adds \$91,000 to the State HES lump sum program in 2006/07.

Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, we accept the modifications to the 2007 Federal Statewide Transportation Improvement Program (FSTIP) for the KCAG region in accordance with the Federal statewide and metropolitan transportation planning regulations codified in 23 CFR Part 450. We find that KCAG's 2007 FTIP, through Amendment No. 2, was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the metropolitan planning provisions of 23 U.S.C. Chapter 134, and 49 U.S.C. Chapter 53. This approval is provided with the understanding that the FTA funding approval on the individual projects contained in the FSTIP are subject to grantees meeting all necessary FTA administrative requirements.

We have determined that this program modification is exempt from the regional emissions analysis requirements pursuant to the transportation conformity provisions found in 40 CFR Part



93 Sections 126 and 127. This finding has been coordinated with Region 9 of the Environmental Protection Agency (EPA) in accordance with the procedures outlined in the *National Memorandum of Understanding between DOT and EPA on Transportation Conformity*, dated April 25, 2000. Therefore, we find that the FTIP continues to conform to the applicable State Implementation Plan (SIP).

This letter constitutes approval and inclusion of the KCAG's FTIP Amendment No. 2 into California's 2006/07 – 2008/09 FSTIP.

If you have questions or need additional information concerning our approval for this KCAG FSTIP amendment, please contact Steven Luxenberg (steve.luxenberg@fhwa.dot.gov) of the FHWA California Division office at (916) 498-5066.

Sincerely,

/s/ Steve Luxenberg

For
Gene K. Fong
Division Administrator

cc: (e-mail)

Karina O'Connor, EPA

Ted Matley FTA

Penny Gray, Caltrans HQ

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Terri King, KCAG

Cari Anderson, CA Consulting

cc: (other)

KCAG TIP Binder

sluxenberg/ac